

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, JANUARY 7, 2008**

The first meeting of the Tenth City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:03 p.m. on Monday, January 7, 2008, with Vice President Sanders presiding.

Councillor Bateman led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The Vice President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*28 PRESENT: Bateman, Brown, Cain, Cardwell, Carson, Cockrum, Coleman, Day, Evans, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Scales, Smith, Speedy, Vaughn*  
*1 ABSENT: Gray*

A quorum of twenty-eight members being present, the Vice President called the meeting to order. She then invited the Honorable Ted Sosin and the Honorable Linda Brown, judges of the Marion County Circuit and Superior Courts, to administer the oath of office for the newly seated Council body. The oath of office was administered to swear in the new Council body.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Lutz recognized Julia Shattuck and Fred McHenry, mother and husband of Councillor McHenry. He also introduced Roger Bowser, president of the Wayne Township Board. Councillor Speedy recognized Rob Thoman, mayor of the City of Southport. Councillor Evans recognized his wife and son, and citizen John Laughlin. Councillor Pfisterer recognized Chief James Greeson, Indianapolis Fire Department (IFD), and stated that this is the 39 year anniversary for IFD. Councillor Pryor recognized Mike Reeves of IFD Local 416, Mark Fisher of the Chamber of Commerce, Washington Township Trustee and former Councillor Frank Short. Councillor Malone recognized Councillor Smith's wife, daughter and son, who are in attendance

this evening. Councillor McHenry introduced Wayne Township resident Andy Harris. Councillor Brian Mahern recognized his brother Jim Mahern. Councillor Bateman recognized citizen Charlie Staples.

## **ORGANIZATION OF TENTH CITY-COUNTY COUNCIL**

### **Ratification of Rules and Meeting Dates**

Councillor Cockrum made the following motion:

Madame Chair:

I move that the Rules of the Council, as codified in Chapter 151 of the Revised Code of the Consolidated City and County, be, and are hereby, ratified and adopted as the Rules of this Council.

Councillor Lutz seconded the motion, and the Rules were ratified and adopted by a unanimous voice vote.

Councillor Cockrum made the following motion:

Madame Chair:

I move that the schedule of Council meeting dates, as approved in Council Resolution No. 85, 2007, be ratified and confirmed as the regular meeting of this Council.

Councillor Plowman seconded the motion, and the meeting dates were ratified and confirmed by a unanimous voice vote.

### **Election of Officers**

Councillor Sanders opened the floor for nominations for President of the Council. Councillor Lutz nominated Councillor Cockrum for President. Councillor Pfisterer seconded the nomination. Councillor Mansfield nominated Councillor Moriarty Adams for President. Councillor Bateman seconded the nomination. Councillor Sanders called for further nominations. Hearing none, nominations for President of the Council were closed. Councillor Sanders stated that a “yea” vote will signify a vote for Councillor Cockrum as President of the Council, and a “nay” vote will signify a vote for Councillor Moriarty Adams. Councillor Cockrum was elected as Council President by the following roll call vote; viz:

*17 FOR COCKRUM: Brown, Cain, Cardwell, Cockrum, Coleman, Day, Hunter, Lutz, Malone, McHenry, McQuillen, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn*  
*11 FOR MORIARTY ADAMS: Bateman, Carson, Evans, Mahern (B), Mahern (D), Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders*  
*1 ABSENT: Gray*

President Cockrum made the following statement:

First, I'd like to congratulate all of you on your elections and your dedication to serve on the City-County Council. I am deeply honored that you have chosen and entrusted me with the responsibility of serving as your Council President. I know the gravity of the work this responsibility entails.

As I stated at the Mayor's Inauguration, we 29 come from varied professions and backgrounds. We may have come here on different roads, but I believe we all share some things in common:

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- A desire to serve our community,
- A desire to make Indianapolis a better place to live and a better place to raise a family, and
- A desire to make it the place our children will continue to call home when they have grown.

Tonight, we begin our work as a Council anew. While we may have different views regarding the issues before us, and different experiences, we are all equally City-County Councillors. We equally share the responsibility of making decisions for Indianapolis and Marion County. We equally are charged to listen to our constituents.

My only request of each of you is to pledge with me - no matter which area of the County we may represent - no matter which caucus we may belong to, that we will all work together to help solve the issues facing our community. We will treat each other with the respect due a fellow Councillor, and we will conduct our business with civility and always make every effort to hear the will of the people when deliberating our decisions.

As Winston Churchill said, "It is no use to say 'we are doing our best.' We have got to succeed in doing what is necessary."

Thank you again, and let us begin the work of the people.

Councillor Sanders opened the floor for nominations for Vice-President of the Council. Councillor McQuillen nominated Councillor Smith for Vice-President. Councillor Hunter seconded the nomination. Councillor Bateman nominated Councillor Moriarty Adams for Vice-President. Councillor Mansfield seconded the motion. Councillor Sanders called for further nominations. Hearing none, nominations for Vice President of the Council were closed. Councillor Sanders stated that a "yea" vote will signify a vote for Councillor Moriarty Adams as Vice President of the Council, and a "nay" vote will signify a vote for Councillor Smith. Councillor Smith was elected as Council Vice President by the following roll call vote; viz:

*10 FOR MORIARTY ADAMS: Bateman, Carson, Evans, Mahern (B), Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders*

*18 FOR SMITH: Brown, Cain, Cardwell, Cockrum, Coleman, Day, Hunter, Lutz, Mahern (D), Malone, McHenry, McQuillen, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn*

*1 ABSENT: Gray*

Vice-President Smith thanked the Council body for their vote of confidence and stated that he will do his best to serve the citizens in this capacity.

Councillor Sanders passed the gavel to President Cockrum.

### **Certification of Caucus Leaders**

President Cockrum stated that he has received certifications that Councillor Sanders has been selected as minority leader by the Democrat Caucus and Councillor Plowman has been selected as majority leader by the Republican Caucus.

### **Appointment of Clerk**

President Cockrum asked for a motion to appoint Melissa Thompson as Clerk of the City-County Council. Councillor Moriarty Adams moved, seconded by Councillor Vaughn, to appoint Ms. Thompson as Clerk of the Council, and the motion carried by a unanimous voice vote.

President Cockrum called for a recess at 7:21 p.m. in order to hold brief hearings of the Committee on Committees to make committee assignments and of the Rules and Public Policy Committee to recommend senior staff positions.

President Cockrum reconvened the City-County Council at 7:42 p.m. He gave a brief report from the Committee on Committees hearing, where members approved the committee assignments; terminated the Law Enforcement Consolidation, Children's Health and Environment and Election Board Investigative Committees; re-established and appointed members to the Investigative Committee on Ethics; approved the minority counsel contract, and reviewed appointee background checks.

Councillor Lutz reported that the Rules and Public Policy Committee met briefly to consider senior staff appointments. He stated that the Committee unanimously approved the following senior staff positions: Assistant Clerks Angela Gonzalez and Andrea Scott, Chief Financial Officer James Steele, and General Counsel Robert G. Elrod. Councillor Moriarty Adams moved, seconded by Councillor Plowman, to accept the reports and recommendations of these committees. The recommendations were accepted by a unanimous voice vote, thereby confirming senior staff appointments and committee assignments.

## **OFFICIAL COMMUNICATIONS**

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 7, 2008, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Monroe Gray  
President, City-County Council

December 24, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 118, 2007 – transfers and appropriates \$1,138,000 in the 2007 Budget of the Information Services Agency (Information Services Internal Services Fund) to purchase FileNet software upgrades for the Department of Metropolitan Development, for other expenses related to the DMD and DPW move to new offices on Madison, and for computer hardware to be used throughout the enterprise

FISCAL ORDINANCE NO. 119, 2007 – appropriates \$3,093,901 in the 2007 Budgets of the Revenue Serviced Debt Funds of the City of Indianapolis, the Office of Finance and Management and the County Auditor to pay interest expense for revenue bonds, County Option Income Tax anticipation loans and tax anticipation warrants (The tax anticipation borrowings are additional expenses expected to be realized due to the delay in tax collections resulting from the state ordered property tax reassessment. Sanitation Revenue Bonds fund interest was erroneously omitted from the 2007 Budget.)

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FISCAL ORDINANCE NO. 120, 2007 – appropriates \$1,445,545 in the 2007 Budget of the Marion County Children's Guardian Home (State and Federal Grants Fund) to cover 2008 salary and benefit costs for staff, financed by funds to be provided by the Indiana Department of Child Services

FISCAL ORDINANCE NO. 121, 2007 – transfers and appropriates \$7,100,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department (IMPD Fund) to pay for salaries, equipment and supplies related to the 2007 recruit classes, the new police contract, legal and officer manning studies, building and helicopter maintenance, radio upgrades and vehicle radio modems

FISCAL ORDINANCE NO. 122, 2007 – appropriates \$915,749 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants, Non-Lapsing Federal Grants and State Law Enforcement Funds) to purchase investigative equipment for the Buffer Zone Protection Plan, purchase bullet proof vests for officers and new recruits, fund salaries, benefits and overtime for the Metro Drug Task Force, fund salary and overtime for four traffic safety initiatives, and fund overtime for the Indy Nite Lite and Arden Sentry programs, funded by grants

FISCAL ORDINANCE NO. 123, 2007 – transfers and appropriates \$187,566 in the 2007 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to reimburse the DPW Operations Division for the cost of 12 passenger cars purchased in 2007 for the Marion Superior Court, Probation Department (The Consolidated County Fund will be reimbursed for the cost of the cars by lease revenues paid over a three-year period through the operation budget of the Marion Superior Court

FISCAL ORDINANCE NO. 124, 2007 – appropriates \$749,000 in the 2007 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to purchase motor vehicle fuel used by the city and county fleet, financed by chargeback revenues from the various customer departments and agencies that obtain fuel from Fleet Services

FISCAL ORDINANCE NO. 125, 2007 – approves temporary tax anticipation borrowing and authorizes the City to refinance warrants issued to make temporary loans for the use of certain funds and accounts in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year and to make and refinance temporary loans during 2008 in anticipation of current taxes levied in the year 2007 and collectible in 2008, authorizing the issuance of tax anticipation time warrants to evidence such loans, pledging and appropriating the taxes to be received in such funds to the payment of such warrants, including the interest thereon

FISCAL ORDINANCE NO. 126, 2007 – approves temporary tax anticipation borrowing and authorizes the County to refinance warrants issued to make temporary loans for the use of certain funds and accounts in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year and to make and refinance temporary loans during 2008 in anticipation of current taxes levied in the year 2007 and collectible in 2008, authorizing the issuance of tax anticipation time warrants to evidence such loans, pledging and appropriating the taxes to be received in such funds to the payment of such warrants, including the interest thereon

SPECIAL ORDINANCE NO. 12, 2007 – a final resolution for GMF Mann Village, LLC in an amount not to exceed \$14,500,000 for the acquisition and rehabilitation of a 336-unit project formerly known as Mann Village Apartments (District 22)

SPECIAL ORDINANCE NO. 13, 2007 – a final resolution for AmeriPlex PRF Accelerator Park-Indianapolis, LLC in an amount not to exceed \$5,250,000 for the construction and completion of an industrial 50,400 square foot flex building and related improvements on a portion of the land comprising a mixed-use development to be known as Accelerator Park (District 22)

GENERAL ORDINANCE NO. 84, 2007 – amends the Code to require dealers in salvage or scrap metal to be licensed and regulated by the city

GENERAL ORDINANCE NO. 85, 2007 – amends the Code adding a county recorder supplemental fee for purposes of the housing trust fund

GENERAL ORDINANCE NO. 86, 2007 – authorizes intersection controls at Audubon Road and 13th Street (District 17)

GENERAL RESOLUTION NO. 23, 2007 - restates the AUL Deferred Compensation Plan to promote ease of administration, permit additional rollovers into the AUL plan to increase attractiveness to employees, and provide for matching contributions by the City for police officers and firefighters as negotiated in labor agreements

SPECIAL RESOLUTION NO. 58, 2007 – recognizes Restoring Lives West, Inc.

SPECIAL RESOLUTION NO. 59, 2007 - recognizes the Pike High School Football Team on their run for the State Championship title

SPECIAL RESOLUTION NO. 60, 2007 - recognizes Zach Razor on attaining the rank of Eagle Scout

SPECIAL RESOLUTION NO. 61, 2007 - recognizes the public service of Councillor Scott Keller

SPECIAL RESOLUTION NO. 62, 2007 - recognizes the public service of Councillor Lance Langsford

SPECIAL RESOLUTION NO. 63, 2007 - recognizes the public service of Councillor Lynn McWhirter

SPECIAL RESOLUTION NO. 64, 2007 - recognizes the public service of Councillor Scott Schneider

SPECIAL RESOLUTION NO. 65, 2007 - recognizes the public service of Councillor Isaac Randolph

SPECIAL RESOLUTION NO. 66, 2007 - recognizes the public service of Councillor Lonnell "King Ro" Conley

SPECIAL RESOLUTION NO. 67, 2007 - recognizes the public service of Councillor Ron Gibson

SPECIAL RESOLUTION NO. 68, 2007 - recognizes the public service of Councillor Sherron Franklin

SPECIAL RESOLUTION NO. 69, 2007 - recognizes the accomplishments and service to the community by former Council President Philip C. Borst, D.V.M.

SPECIAL RESOLUTION NO. 70, 2007 - recognizes the accomplishments and service to the community by former Council President Rozelle Boyd

SPECIAL RESOLUTION NO. 71, 2007 - encourages the Indiana General Assembly to apportion income and other taxes in a more equitable manner

SPECIAL RESOLUTION NO. 72, 2007 – an inducement resolution for Herman and Kittle Properties, Inc. in an amount not to exceed \$18,000,000 for the acquisition and construction of a 271-unit affordable housing project located at South Shelby Street north of County Line Road (Brookhaven at County Line Road Project) (District 23)

SPECIAL RESOLUTION NO. 74, 2007 - urges a moratorium on home foreclosures and for Congressional enactment of a Homeowners and Bank Protection Act

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of December 17, 2008. There being no additions or corrections, the minutes were approved as distributed.

### **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 1, 2008. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Curtis Scott Ratliff to the Common Construction Wage Committee for Decatur Township"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 2, 2008. Introduced by Councillors Mansfield, Lutz, Hunter, Day and Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 151 of the Code regarding the duties of the general counsel and caucus attorneys with regard to representation of council members on private matters"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 3, 2008. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the

corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a) "; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 4, 2008. Introduced by Councillors Vaughn, Plowman, Brown and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Olgen Williams as the Deputy Mayor for Public and Neighborhood Affairs"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 5, 2008. Introduced by Councillors Vaughn, Plowman, Pfisterer, McQuillen and Speedy. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Scott C. Newman as the Director of the Department of Public Safety "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 6, 2008. Introduced by Councillors Vaughn, Lutz, Pfisterer, Day, Speedy, McQuillen and Cardwell. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to establish the Indianapolis Metropolitan Police Department as the police division of the department of public safety and makes corresponding technical corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 7, 2008. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Robert E. Cockrum to the Capital Improvement Board of Managers"; and the President referred it to the Municipal Corporations Committee.

#### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NO. 8, 2008 AND PROPOSAL NOS. 9-11, 2008. Introduced by Councillor Mahern. Proposal No. 8, 2008 and Proposal Nos. 9-11, 2008 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 28 and 27, 2007, respectively. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 1-4, 2008, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 1, 2008.

2007-ZON-106

8910 AND 8926 SOUTH SHELBY STREET, AND 816 EAST COUNTY LINE ROAD

(Approximate Address), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 23

HERMAN & KITTLE PROPERTIES, INC., by Joseph D. Calderon, requests rezoning of 9.3 acres, from the D-A and C-1 Districts, to the D-9 classification to provide for multi-family residential uses.

REZONING ORDINANCE NO. 2, 2008.

2007-ZON-040

129 NORTH NEW JERSEY STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

BARRY WIDDUCK requests rezoning of 0.176 acre, from the I-3-U (RC) District, to the CBD-2 (RC) classification to provide for Central Business District Two uses.

REZONING ORDINANCE NO. 3, 2008.

2007-ZON-092

6401 WEST 71<sup>ST</sup> STREET (*Approximate Address*), INDIANAPOLIS  
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1  
VISION HOSPITALITY GROUP, INC., by Michael C. Cook requests rezoning of 4.27 acres, from the C-S District, to the C-S classification to provide for hotel and motel uses, and C-2 uses, with the exception of attached multifamily dwellings.

REZONING ORDINANCE NO. 4, 2008.  
2007-ZON-122

1635 NORTH ARLINGTON AVENUE (*Approximate Address*), INDIANAPOLIS  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 17  
THE DEPARTMENT OF METROPOLITAN DEVELOPMENT requests rezoning of 10.034 acres, from the D-7 District, to the SU-9 classification to provide for local government use, specifically the Indianapolis Fire Department.

### **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Sanders stated that she had been asked to offer the following motion for adjournment by:

- (1) All Councillors in memory of Ernest H. Langsford; and
- (2) Councillor Nytes in memory of Lynn Thompson; and
- (3) Councillor Hunter in memory of Virginia M. Handley.

Councillor Sanders moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ernest H. Langsford, Lynn Thompson,, and Virginia M. Handley. She respectfully asked the support of fellow Councillors. She further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 7:52 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of January, 2008.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)